

[CHAPTER 640]

AN ACT

To provide for a national cemetery in the vicinity of Portland, Oregon.

December 29, 1941  
[S. 793]  
[Public Law 388]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized and directed to establish and maintain, in accordance with the provisions of law governing national cemeteries, a national cemetery in the vicinity of Portland, Oregon. The Secretary of War is authorized to acquire by donation, purchase, condemnation, or otherwise such suitable lands as are in his judgment necessary for the establishment and maintenance of such cemetery.

National cemetery,  
Portland, Oreg.  
Establishment and  
maintenance.

SEC. 2. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the purposes of this Act.

Appropriation au-  
thorized.

Approved, December 29, 1941.

[CHAPTER 641]

AN ACT

To fix the responsibilities of disbursing and certifying officers, and for other purposes.

December 29, 1941  
[H. R. 5785]  
[Public Law 389]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter, notwithstanding the provisions of the Act of August 23, 1912 (37 Stat. 375; 31 U. S. C. 82), and section 4 of Executive Order Numbered 6166, dated June 10, 1933, disbursing officers under the executive branch of the Government shall (1) disburse moneys only upon, and in strict accordance with, vouchers duly certified by the head of the department, establishment, or agency concerned, or by an officer or employee thereof duly authorized in writing by such head to certify such vouchers; (2) make such examination of vouchers as may be necessary to ascertain whether they are in proper form, duly certified and approved, and correctly computed on the basis of the facts certified; and (3) be held accountable accordingly.

Public accounts.  
Duties of disbursing  
officers.

5 U. S. C. § 132 note.  
Disbursement only  
upon certified vouch-  
ers.

Examination of  
vouchers.

Accountability.  
Responsibilities of  
certifying officers, etc.

Bond required.

Accountability.

Provisos.  
Relief of certifying  
officers, etc.

SEC. 2. The officer or employee certifying a voucher shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting papers and for the legality of the proposed payment under the appropriation or fund involved; (2) be required to give bond to the United States, with good and sufficient surety approved by the Secretary of the Treasury, in such amount as may be determined by the head of the department, agency, or establishment concerned, pursuant to standards prescribed by the Secretary of the Treasury, and under such conditions as may be prescribed by the Secretary of the Treasury; and (3) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved: *Provided*, That the Comptroller General may, in his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts, or (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the char-